

ENTERED

August 23, 2022

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

GREGORIO GARCIA, III,

Plaintiff,

v.

B. RODRIGUEZ, *et al.*,

Defendants.

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CIVIL ACTION NO. 2:22-CV-00197

OPINION AND ORDER OF TRANSFER

Plaintiff Gregorio Garcia, III, appearing *pro se*, has filed this prisoner civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff is currently assigned to the Willacy County State Jail (WCSJ) in Raymondville, Texas. In this action, Plaintiff complains about prison officials taking several legal and religious books from his cell. (Doc. No. 1, p. 5.) Plaintiff further claims that officials retaliated against him for using the grievance process and filing a civil lawsuit. *Id.* at 3. Plaintiff sues several officials who work at the WCSJ as well as the Management and Training Company based in Centerville, Utah. *Id.* at 2-3.

A civil action wherein jurisdiction is not founded solely on diversity of citizenship may be brought in (1) a judicial district where any defendant resides, if all defendants reside in the same state, or (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. 28 U.S.C. § 1391(b). In addition, for the convenience of parties and witnesses, and in the interest of justice, “a district court may transfer any civil action to any other district or division where it might have been brought.” 28 U.S.C. § 1404(a).

In this case, the events about which Plaintiff complains occurred in Willacy County, Texas. None of the Defendants reside or are found in the Corpus Christi Division of the

Southern District of Texas. Willacy County lies within the Brownsville Division of the Southern District of Texas. 28 U.S.C. § 124(b)(4). Therefore, the interests of justice would be served by transferring this case to the Brownsville Division of the Southern District of Texas.

Accordingly, it is **ORDERED** that this case be transferred to the United States District Court for the Southern District of Texas, Brownsville Division. The Clerk of Court is directed to **CLOSE** this case in this division.

SIGNED on August 23, 2022.



MITCHEL NEUROCK
United States Magistrate Judge